

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA, : Case No. 3:06-cr-136-1  
Plaintiff, :  
v. : DISTRICT JUDGE WALTER H. RICE  
SHANE PROFITT, :  
Defendant. :  
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ORDER SUSTAINING DEFENDANT SHANE PROFITT'S MOTION TO  
WITHDRAW DOCUMENT (DOC. #124) AND OVERRULING AS MOOT  
DEFENDANT'S MOTION TO AMEND/CORRECT SENTENCE FOR  
CONCURRENT SENTENCE (DOC. #123)

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Pending before the Court are two motions filed by Defendant Shane Profitt ("Defendant" or "Profitt"). On March 20, 2014, Profitt filed a Motion to Amend/Correct Sentence, requesting that the Court retroactively designate his federal sentence as concurrent with his state sentences. Doc. #123. On March 24, 2013, the Clerk received a letter from Profitt, requesting the withdrawal of the aforementioned motion, which was filed as a Motion to Withdraw Document. Doc. #124. As Profitt notes in the letter, the Bureau of Prisons has agreed to designate the Ohio prison where he served his state sentences *nunc pro tunc* as a place of federal confinement for the purpose of giving him credit against his federal sentence, in accordance with this Court's recommendation in its Decision and

Entry (Doc. #122) of February 3, 2014. Profitt was not informed of the *nunc pro tunc* designation until after mailing the Motion to Amend/Correct Sentence, which he now seeks to withdraw because it has been rendered moot by the aforementioned designation. Accordingly, the Court SUSTAINS Profitt's Motion to Withdraw Document (Doc. #124), and OVERRULES AS MOOT Profitt's Motion to Amend/Correct Sentence (Doc. #123).

Date: March 25, 2014

  
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WALTER H. RICE  
UNITED STATES DISTRICT JUDGE